

In re Appln. of: Nevin Jenkins
Appln. No.: 10/666,554
Attorney docket: 7200-A03-026

Group Art Unit: 2841

REMARKS

The claims of the application have been severely curtailed and redrafted to be more specifically directed to the inventive concept, which is the provision of a device, namely, a sun dial, that can be used with respect to potted plants. It is important to the inventive concept that the device look like a sun dial and accordingly, the structural considerations in this respect are important.

Claims 1 to 14 have been cancelled in favor of new claims 15 to 17. The new claims more precisely recite the inventive limitations in structural terms so that it is evident that the device has the appearance of a cylindrical housing with a central upstanding post, so that it has the characteristics of a sun dial, but is useful for potted plants. Claim 15 includes the following structural limitations, all of which are novel regarding the prior art of record. Claim 15 recites a cylindrical housing having a central upstanding post, a light detector mounted on the top of the upstanding post exposed to detect ambient light. This structural limitation is absent from Lewis and the rest of the prior art cited. Claim 15 further recites a logic circuit mounted in the housing for processing detected light including a timing circuit for resetting the logic circuit at 24 hour periods. As recited in Claim 16 a locking circuit is included in the logic circuit to prevent the logic circuit from resetting before the lapse of the 24 hour period, and if reset is improperly attempted, the logic circuit causes the LEDs to flash as an indication thereof. This structural limitation is also absent from the cited art. Claim 15 also recites that a plurality of tactile switches for controlling the logic circuit are mounted in the housing adjacent its top surface arrayed arcuately adjacent the peripheral edge of the top surface of the housing over an arc of about 60 degrees. This structural limitation is also absent from the cited art. Claim 15 further recites that at least three LEDs controlled by the logic circuit are arrayed in an about 60 degree arc on the top surface of the housing adjacent its periphery diametrically opposed to the tactile switches with indicia marked on the top surface of the housing associated with the LEDs to indicate at least three conditions of sunlight. This structural limitation is also absent from the cited art. Finally, claim 15 recites that the logic circuit

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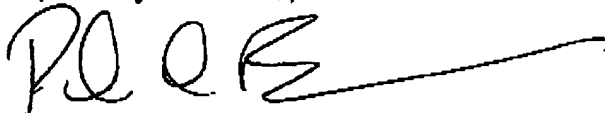
Group Art Unit:2841

processes the detected light to determine the condition of sunlight and when controlled by a selected tactile switch an associated LED will light to show the current condition of sunlight, and when controlled by another selected tactile switch an associated LED will light to show the average sunlight.

This claimed function is also absent from the cited art. Claims 16 and 17 are dependent on Claim 15 and therefore contain all the limitations of Claim 15. As Claims 15 to 17 distinguish over the cited art by structural limitations, which are not shown or taught by the prior art, these claims recite a patentable invention. In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time, time sufficient, to effect a timely response, and shortages in this or other fees, be charged, or any overpayment in fees be credited, to the Deposit Account of the undersigned, Account No. 500601 (Docket no. 7200-A03-026)

Respectfully submitted,



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